

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

RONALD CARTER, #1796752

§

v.

§

CIVIL ACTION NO. 6:15cv591

DIRECTOR, TDCJ-CID

§

MEMORANDUM OPINION ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE
AND ENTERING FINAL JUDGMENT

Petitioner Ronald Carter, proceeding *pro se*, filed this petition for writ of habeas corpus under 28 U.S.C. § 2254 alleging the illegality of his conviction. The cause of action was referred for findings of fact, conclusions of law, and recommendations for the disposition of the petition.

After a review of the pleadings and the records, the Magistrate Judge issued a Report on March 21, 2018, (Dkt. #21), recommending that Carter's petition be dismissed with prejudice, as it was time-barred. A copy of this Report was sent to Carter's address; return receipt requested. The docket shows that the Report was returned to sender as undeliverable, (Dkt. #22). Carter did not file a change of address. To date, no objections have been filed.

Accordingly, Carter is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See*

United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly it is

ORDERED that the Report of the Magistrate Judge, (Dkt. #21), is **ADOPTED** as the opinion of the Court. Further, it is

ORDERED that Petitioner's federal petition for a writ of habeas corpus is **DISMISSED** with prejudice. Finally, it is

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

So **ORDERED** and **SIGNED** this **3** day of **July, 2018**.



Ron Clark, United States District Judge